

Amendment and Response

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Serial No.: 10/804,273

Confirmation No.: 7437

Filed: 19 March 2004

For: AUTOMATED POULTRY PROCESSING METHOD AND SYSTEM

Remarks

The Office Action mailed 23 August 2005 has been received and reviewed. Claims 6, 14, and 34 having been amended, the pending claims remain claims 1-34. Reconsideration and withdrawal of the objections and rejections are respectfully requested.

Objections

The Examiner objected to claims 6 and 34 due to informalities. Applicant has amended the claims as suggested by the Examiner.

The Examiner also objected to the Abstract of the Disclosure. Applicant has amended the abstract as suggested by the Examiner.

Applicants respectfully submit that the amendments address the objections raised by the Examiner in the Office Action.

Obviousness-Type Double Patenting Rejection

Claims 1-34 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of U.S. Patent Application No. 10/702,370.

A Terminal Disclaimer is filed herewith in view of U.S. Patent Application No. 10/702,370. Reconsideration and withdrawal of the obviousness-type double patenting rejection are, therefore, requested.

The 35 U.S.C. §112, Second Paragraph, Rejection

The Examiner rejected claim 14 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner alleged that in claim 14 it is unclear how the identification tag itself is stored in the database, as per claim 13.

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Applicant has amended claim 14 to indicate that the identification tag (recited in claim 1 from which claim 14 ultimately depends) includes the information recited in claim 13. Support for the amendment can be found in the application as filed at, e.g., p. 10, lines 9-12 and/or at p. 16, lines 19-27.

Applicant respectfully submit that the amendments do not narrow the scope of the claims and that claim 14 does comply with the requirements of 35 U.S.C. § 112, second paragraph. Reconsideration and withdrawal of this rejection are, therefore, respectfully requested.

Summary

It is respectfully submitted that the pending claims 1-34 are in condition for allowance and notification to that effect is respectfully requested. The Examiner is invited to contact

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Applicant's Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR §1.8:

The undersigned hereby certifies that the Transmittal Letter and the paper(s), as described hereinabove, are being transmitted by facsimile in accordance with 37 CFR §1.6(d) to the Patent and Trademark Office, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22nd day of November, 2005, at 2:56 p.m. (Central Time).

By: Rachel Gagliardi-Gibau

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